



WORKFORCE SOLUTIONS of the Coastal Bend

POLICY

CATEGORY:	Program Services	No: 4.0.102.02
TITLE:	Basic Skills Deficiencies	
SUPERSEDES:	4.0.102.01 dtd, June 29, 2012	
EFFECTIVE:	February 26, 2021	
BOARD APPROVAL:	February 25, 2021	
DATE OF LAST REVIEW:	November 12, 2020	

I. PURPOSE:

To provide guidance on addressing Basic Skills Deficiencies, including Limited English Proficiency (LEP), English as a Second Language, (ESL), and math and literacy deficiencies.

II. DEFINITIONS:

- a. Basic Skills Goal – A measurable increase in basic education skills including reading comprehension, math computation, writing, speaking, listening, problem solving, reasoning, and the capacity to use these skills.
- b. English As A Second Language (ESL) - A term used to describe customers whose primary language is other than English.
- c. Limited English Proficiency (LEP) – A term used to describe customers with limited English language skills.
- d. Literacy - The ability to read, write, and understand sentences and longer text. This includes the ability to read and understand written material presented in different ways, such as in a chart, sign, or newspaper article.
- e. Post-test – A test administered to a participant at regular intervals during the program to show progress
- f. Pre-test – A test used to assess a participant's basic literacy or math skills, which is administered to a participant up to six months prior to the date of participation or within 60 days following the date of participation.

Basic Skills Deficient for Adult

- a. An individual who is unable to compute or solve problems, or read, write, or speak English at a level necessary to function on the job, in the individual's family, or in society satisfies the

basic skills deficient requirement for WIOA adult services.

- b. If using an assessment instrument to assess basic skills, Boards must use assessment instruments that are valid and appropriate for the target population and must provide reasonable accommodation in the assessment process, if necessary, for individuals with disabilities.

Boards may:

- a. determine the method of assessment and process used to determine an individual's inability to compute or solve problems, or read, write, or speak English at a level necessary to function on the job, in the individual's family, or in society; and
- b. based on the method of assessment or assessment tool used, set benchmarks for assessment results that determine basic skills deficiency.

TWIST Data Entry: Regardless of how basic skills deficiency is determined, documentation must be maintained in a hard case file and in TWIST Counselor Notes.

Basic Skills Deficient for Youth

- a. An individual who meets either of the following criteria satisfies the basic skills deficient requirement for WIOA youth services:
 - b. Is a youth who has English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test; or
 - c. Is a youth who is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual's family, or in society.
- d. Skill levels "at or below the eighth-grade level" may be determined by a grade level of 8.9 or below received on a generally accepted standardized test.

Boards may:

- a. determine the method of assessment and process used to determine a youth's inability to compute or solve problems, or read, write, or speak English at a level necessary to function on the job, in the individual's family, or in society; and
- b. based on the method of assessment or assessment tool used, set benchmarks for assessment results that determine basic skills deficiency.

TWIST Data Entry: Regardless of how basic skills deficiency is determined, documentation must be maintained in a hard case file and in TWIST Counselor Notes.

III. Youth Program Design

The design framework of local youth programs must:

- a. Provide for an objective assessment of each youth participant, including a review of the academic and occupational skill levels and service needs, for the purpose of identifying appropriate services and career pathways for participants and informing the individual service strategy. The objective assessment must include a review of:
 1. basic skills;
 2. occupational skills;
 3. work experience;
 4. employability;
 5. interests;
 6. aptitudes;

7. ☐ support service needs; and
 8. developmental needs.
- b. As discussed in 20 CFR §681.290, in assessing basic skills, Boards must use assessment instruments that:
1. ☐ are valid and appropriate for the target population;
 2. ☐ provide reasonable accommodation in the assessment process, if necessary, for individuals with disabilities;
 3. ☐ are appropriate, fair, cost-effective, and well-matched to the test administrator's qualifications; and
 4. ☐ are easy to administer and interpret results.

Special Note: For purposes of the basic skills assessment portion of the objective assessment, Boards are neither required to use assessments approved for use in the US Department of Education's National Reporting System (NRS), nor are they required to determine an individual's grade-level equivalent or educational functioning level (EFL), although use of these tools is permitted. Rather, Boards may use other formalized testing instruments designed to measure skills-related gains.

In contrast to the initial assessment described above, if measuring EFL gains after program enrollment under the measurable skill gains indicator, Boards must use an NRS-approved assessment for both the EFL pre- and posttest to determine an individual's educational functioning level.

Boards will always use NRS-approved assessments when assessing the basic skills of youth.

- a. A new assessment of a participant **is not required** if the Board determines that it is appropriate to use a recent assessment (made within the last six months) of the participant conducted as part of another education or training program. When using a prior assessment, Boards must ensure that appropriate staff:
 - b. receive a copy of the assessment, including results;
 - c. ensure that the previous assessment complies with youth requirements, including academic and occupational skill-level assessments;
 - d. include assessment documentation in the case file;
 - e. enter comprehensive objective assessment service, TWIST code 8, using the appropriate WIOA youth fund code; and
 - f. enter complete details in the TWIST *Counselor Note*.

IV. Develop, and update as needed, an individual service strategy for each youth participant that:

- a. is directly linked to one or more indicators of performance (as described in WIOA §116(b)(2)(A)(ii));
- b. identifies appropriate career pathways that include education and employment goals;
- c. considers career planning and the results of the objective assessment; and
- d. prescribes achievement objectives and services for the participant; and
- e. Provide case management of youth participants, including follow-up services.

V. POLICY STATEMENT:

LEP

- a. Workforce Solutions of the Coastal Bend contracted service provider(s) shall ensure meaningful access by LEP customer to all critical services.
- b. Reasonable steps must be implemented to ensure that LEP persons receive the full benefits offered by each Career center in the Coastal Bend region.
- c. Assessments to determine the language (s) needs of the population within the delivery system will be coordinated by the contracted service provider(s). When the Career Center is reviewing the delivery systems, efforts shall be made to determine if any program system limits participation or denies participation to a significant proportion of the population it serves relative to language barriers.

VI. Access to Services

Contracted Service Providers may use any of the following options and methods for providing meaningful access to Limited English Proficient beneficiaries:

1. Identification and annual assessment of the language(s) needs of the affected population that are likely to be encountered;
2. Estimating the number of Limited English Proficient persons that are eligible for services and that are likely to be affected by its program or activity
3. Outreach to the Limited English Proficient (LEP) communities, advertising program eligibility and the availability of free language assistance;
4. Posting of signs in the Career Center lobbies and waiting areas, in language(s) identified as language used by Limited English Proficient persons, informing customers of their right to free interpreter services and inviting them to identify themselves as persons needing language assistance;
5. Use of "I Speak Cards" or similar resources by Career Center staff and other customer contact personnel so that customers can identify their primary languages;
6. Requiring Career Center staff to note the language of the Limited Speaking Proficient customer in his/her record so that all subsequent interaction will be conducted in the appropriate language;
7. Employment of staff, bilingual in appropriate languages, in customer contact positions.
8. Contracts with interpreting services that can provide qualified interpreters in languages(s) that has been determined the language(s) needs of the population within the delivery area in a timely manner;

9. Formal arrangements with community groups for qualified and timely interpreter services by community volunteers;
 - i. An arrangement with a telephone language interpreter line;
 - ii. Translation of application forms, instructional, informational and other key documents into appropriate languages other than English. Oral interpretation of documents for persons who speak languages not regularly encountered;
 - iii. Procedures for effective telephone communication between Career Center staff and Limited English Proficient persons, including instructions for English-speaking employees to obtain assistance from bilingual staff or interpreters when initiating or receiving calls from Limited English Proficient persons;
 - iv. Notice to and training of all staff with respect to service provider's Title VI and Section 188 obligation to provide language assistance to Limited English Proficient persons, and on the language assistance policies and procedures to be followed in securing such assistance in a timely manner;
 - v. Insertion of notices, in appropriate languages, about the right of Limited English Proficient customers to free interpreters and other language assistance, in brochures, pamphlets, manuals, and other materials disseminated to the public and to staff;
 - vi. Notice to the public regarding the language policies and procedures, plus notice to and consultation with community organizations that service Limited English Proficient persons regarding problems and solutions, including standards and procedures for using their members as volunteer interpreters;
 - vii. Will use the Orientation to Complaint form as a tool whereby the customer is given instruction on how to file a complaint regarding the provision of language assistance or any program service; and
 - viii. Appointment of a senior level employee with the Workforce Career Center system to coordinate the language assistance program and ensure that there is regular monitoring of the program. The monitoring reports will be submitted to the Board's monitor.

Contracted Service Providers should not require a beneficiary to use friends or family members as interpreters. Family and friends may not be competent to act as interpreters, since they may lack familiarity with specialized terminology. However, a family member or friend may be used as an interpreter if this approach is requested by the Limited English Proficient (LEP) individual and the use of such a person would not compromise the effectiveness of services or violate the beneficiary's confidentiality, and the beneficiary is first advised that a free interpreter is available.

VII. Basic Skills Deficiencies

Job training courses may include basic skills deficiencies. Basic Skills Deficiencies (literacy and numeracy) training may be offered as a stand-alone service, but must be a part of a continuum of services leading to employment.

Providers must document that basic skills deficiency courses are linked to a participant's job training services and detail when the classes are being provided in relation to other services.

VIII. . PROCEDURES:

The documentation supporting the need for basic skills deficiency must include a pre- and post-test to identify the need the need for the training and to measure any change in basic-skills proficiency.

The following assessment tool may be used to document basic skills deficiency when referred from another agency.

TABE
ABLE
CASAS
WorkKeys

- a. The pre- and post-test to measure basic skills deficiencies must be administered in English.
- b. The pre-test must be administered no earlier than six (6) months prior to, or no later than 60 days following the date of the first Service.
- c. The post-test must be administered no later than one year from the date of the first Service.
- d. The Career Center Contracted Service Provider must retain all pre- and post-test information, including scores and educational functioning levels. The information pertaining to WIOA out-of-school youth shall be entered into TWIST.

IX. RELATED POLICY INFORMATION:

- a. Workforce Innovation and Opportunity Act Guidelines for Adults, Dislocated Workers, and Youth, Effective April 3, 2020
- b. TWC WD Letter 24-01, Prohibition Against Discrimination Based on Disability or Limited English Proficiency in the Administration of Workforce Services, dtd 6.22.2001
- c. TWC WD Letter 27-07, Integrated Data Collection and Performance Management, dtd 8.01.2007
- d. TWC WD Letter 34-07, Coordination of Rapid Response Services with Adult Basic Education Providers, dtd 05.27.2007
- e. Texas Workforce Commission WD Letter 47-09 dated 11/30/2009 and entitled "Job Training Course Requirements for English as a Second Language Classes."
- f. Discrimination prohibited based on national origin, including limited English proficiency - 29 CFR
- g. §38.9 (g)(3)

X. RESPONSIBILITIES:

The contract manager must ensure that Workforce Career Center staff is aware and complies with this policy.

XI. FORMS AND INSTRUCTIONS:

a. TWIST Manual

XII. DISTRIBUTION:

Board of Directors

Board Staff

Contracted Service Provider Staff

XIII. SIGNATURES:

Harry Peterson
Reviewed by EO Officer

3/16/21
Date

Ken Trevino
President/CEO

3/16/21
Date